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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,178	04/03/2001	Naoki Oguchi	FUJY 18.546	1676

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EXAMINER
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BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/825,178	Applicant(s) OGUCHI, NAOKI	
	Examiner Benjamin R. Bruckart	Art Unit 2155	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **Detailed Action**

### **Status of Claims:**

Claims 1-3 are pending in this Office Action.

Claim 1 is amended.

The provisional double patenting rejection is withdrawn in light of the filed terminal disclaimer.

### **Response to Arguments**

Applicant's arguments filed in the amendment filed 12/14/2005, have been considered but are not moot in view of new grounds of rejection. The reasons are set forth below.

### **Applicant's invention as claimed:**

#### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

**Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,888,837 by Cunningham et al (Applicants IDS).**

Regarding claim 1, a communication data relay system for relaying between two or more domains each configured by one or more networks, a relay source domain having routing information to a relay destination domain (Cunningham: col. 3, lines 47-56), comprising:

two or more interface modules for accessing said networks (Cunningham: col. 10, lines 56-65; Fig. 11);

a domain definition module for defining a domain configured by said one or more networks, said domain definition module storing an interface identifier for identifying an interface module and a domain identifier for identifying said domain corresponding to said interface module identified by said interface identifier (Cunningham: col. 5, lines 42-61; Figures 2a-2c);

an inter-domain communication definition module for defining connectability between said two or more domains defined by said domain definition module, said connectability based on a combination of the following parameters: a source/destination domain identifier, an inter-domain communicability field, and a translation rule (Cunningham: col. 7, lines 20- col. 8, line 26; Fig. 2d);

a routing information storage module for storing domain routing information corresponding to each of said two or more domains defined by said domain definition module (Cunningham: Figs 2a-2c), said domain routing information including a destination network address to which a packet is sent, a next-hop gateway address to which said packet is relayed, an output interface identifier for identifying the interface module to which said packet is output, and said domain identifier defined in said domain definition module for identifying the correspondence between said domain routing information and each of said two or more domains defined by said domain definition module (Cunningham: col. 5, lines 62- col. 6, line 15; Fig. 2d);  
and

a relay control unit for controlling relay of the communication data, wherein said relay control unit controls the relay of the communication data with reference to said domain routing information corresponding to the domain concerned in the case of a relay within said same domain (Cunningham: col. 5, lines 59-61; Fig. 2d, tag 238; route to same domain), and judges whether communication between the domains is permitted or not for the relay in accordance with said parameters associated with said inter-domain communication definition module in the case

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of a relay between the domains different from each other and relays between the domains different from each other if communication is judged to be permitted (Cunningham: col. 6, lines 10-40).

Regarding claim 2, a communication data relay system according to claim 1, further comprising a destination address search module for the relay destination domain,

wherein if the relay source domain does not have routing information to the relay destination domain, said destination address search module searches a destination address to the relay destination domain in response to a request from a source communication device within the relay source domain, and notifies said source communication device of a relay address within the relay source domain that corresponds to the destination address (Cunningham: col. 7, lines 21-col. 9, line 42; DNS name resolution to get global address), and

said relay control unit relays the communication data addressed to the relay address to the destination address in the relay destination domain (Cunningham: col. 6, lines 10-40).

Regarding claim 3, a communication data relay system according to claim 1, further comprising a routing control information storage module to the domain to which a communication data processing device for processing the communication data is connected,

wherein said relay control unit, when controlling the relay of the communication data, causes said communication data processing device to process the communication data, and relays the thus processed communication data (Cunningham: col. 16, lines 27-54; Fig. 11).

### **REMARKS**

Applicant has amended claim 1 with detail further defining the claim limitations.

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*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 9:00-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Benjamin R Bruckart  
Examiner  
Art Unit 2155

BRB

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER